3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22

000

# AFRICA

JOURNAL OF THE
INTERNATIONAL AFRICAN INSTITUTE

JOURNAL DE
L'INSTITUT INTERNATIONAL AFRICAIN

ZEITSCHRIFT DES
INTERNATIONALEN AFRIKANISCHEN INSTITUTS

*Editor*
EDWIN W. SMITH

VOLUME XVI
1946

LONDON
OXFORD UNIVERSITY PRESS
GEOFFREY CUMBERLEGE

[p.i]

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



# NUER BRIDEWEALTH

*E. E. EVANS-PRITCHARD*

## Principles of Distribution

431 583 LIKE many other African peoples the Nuer marry by the family and kin of the bridegroom handing over cattle to the family and kin of the bride. The marriage is brought about by this payment and by the performance of a series of ceremonial acts. Though these ceremonies and payments of cattle proceed *pari passu* as interconnected movements towards the completion of the union they can be treated separately. It should be remembered, however, that Nuer do not consider the union to be complete till a child has been born of it, even though spouses may continue to cohabit where the union proves to be unfruitful.

[121] This paper describes only the principles on which bridewealth is paid: these can be simply stated. In actual marriages the payment and distribution of the cattle may be complicated, but if one asks a Nuer how, on marriage, the bridewealth is divided, he gives at once its virtual distribution and it will be found that actual distribution in any particular marriage is made to approximate as far as possible to this ideal. Consequently, once the general principles of transfer are understood, the distribution of cattle on any particular marriage can be readily understood also. The general principles only are described and no account is taken of the variations which are found in many marriages, largely arising from peculiar configurations of the family among the Nuer.[1]

583 431 602 Bridewealth should consist of 40 head of cattle. Among the eastern Nuer 20 are said to go *kwi gwan*, to the father's side, and 20 *kwi wan*, to the mother's side, of the bride. Equal division between the bride's paternal kinsmen (including her father) and her maternal kinsmen (including her mother) is thus the first rule of distribution. Of the 20 beasts which go to the father's side, 10 remain with the father (or his sons) and 10 are divided among his family (his parents, brothers, and sisters); and of the 20 beasts which go to the mother's side, 10 remain with the mother (or her sons) and 10 are divided among her family (her parents and brothers and sisters). The second rule, therefore, is that the cattle are distributed in fixed proportions between three families: the bride's own family, her father's family, and her mother's family. The bride's own family receive 20 head of cattle, which are known as the *ghok dieth*, the cattle of the begetting. The families of the bride's father and of her mother each receive 10 head of cattle, known collectively as the *ghok cungni rur*, the cattle of the outside claimants, i.e. those who are outside the bride's own family. It should be noted in diagram I, in which these distributions are shown, that the bride's mother's sons count as her maternal relatives while her father's sons by a different mother count as her paternal relatives.

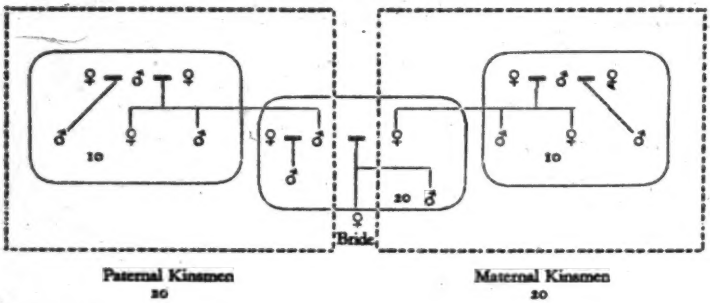
However, a Nuer does not state such distributions in terms of families but, when he is discussing the mode of distribution, in terms of individual relationships and,

[1] These are described in my brochure, *Some Aspects of Marriage and the Family among the Nuer*, Rhodes-Livingstone Institute, 1945 (first published in 1938 in the *Zeitschrift für Vergleichende Rechtswissenschaft*). The economic and political life of the Nuer has been treated in my book, *The Nuer*, Clarendon Press, 1940.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



DIAGRAM I




431
602
583

when he is discussing particular marriages, in reference to persons standing in these relationships. Relationships are defined by reference to the bride. A Nuer counts the ideal distribution as follows:

| | *Cattle* | *Total* |
|---|---|---|
| *KWI GWAN* (on the paternal side) | | |
| *Gwan* (father) | A cow and its calf, a cow and its calf, an ox, another ox, a cow, and a calf[1] . | 8 |
| *Gat gwan* (father's son) | A cow, and another cow[2] . . . | 2 |
| *Gwanlen* (*indit*) *kwi mane* or *kwi dwiel* (father's elder brother by the same mother) | A cow and its calf, a calf, and an ox . | 4 |
| *Gwanlen kwi gwane* or *kwi luak* (father's brother by a different mother) | A cow and its calf, and an ox . . | 3 |
| *Gwanlen* (*intot*) *kwi mane* or *kwi dwiel* (father's younger brother by the same mother) | A cow, and an ox . . . . . | 2 |
| *Wac* (father's sister) | A heifer[3] . . . . . | 1 |
| | *Total* | 20 |
| *KWI MAN* (on the maternal side) | | |
| *Man* (mother) | A cow and its calf, and a heifer . . | 3 |
| *Deman* (brother by the same mother) | An ox, another ox, a cow (*yang deman*), another cow (*yang cika*), a cow and its calf, and another cow[4] . . . | 7 |
| *Nar* (*indit*) *kwi mane* or *kwi dwiel* (mother's elder brother by the same mother) | A cow and its calf, another cow, and an ox . . . . . | 4 |

[1] The single calf is sometimes called *paang*(*de*) and they say: 'It is like a gift thrown in for nothing.' The single cow is sometimes called *yang luak*, the cow of the byre, and is given to conclude the claims on the paternal side. One of the cows is usually the *yang kwath*, the cow of the spirit of the father.

[2] These animals join the herd of the claimant's father, if he is alive, and count as his portion also. The father therefore receives 10 beasts.

[3] This animal joins her husband's herd if he is alive.

[4] The last cow is sometimes a poor beast that has been refused by some kinsman but is taken in charity by the bride's brother to make up the total. The cattle of the brother also count as the cattle of the mother, so that her total portion is 10 beasts. As they all join the father's herd, if he is alive, his actual portion is 20 head of cattle.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22

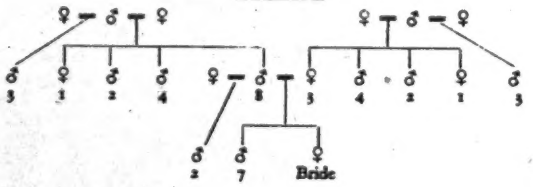


| | Cattle | Total |
|---|---|---|
| *Nar kwi gwan* or *kwi luak* (mother's brother by a different mother) | A cow and its calf, and an ox . . . | 3 |
| *Nar* (*intot*) *kwi mam* or *kwi dwiel* (mother's younger brother by the same mother) | A cow and its calf . . . . . | 2 |
| *Manlen* (mother's sister) | A heifer[1] . . . . . | 1 |
| | *Total* | 20 |

I do not guarantee that if one were to ask any Nuer from the eastern part of their territory how bridewealth is distributed in his country he would receive a list identical with the one I have given, for there might be shifts here and there of a cow or an ox, but the balance and proportions would be as I have recorded them. Among the western Nuer when a man speaks of 'the cattle on the paternal side' and 'the cattle on the maternal side' his description is more in accord with realities because he includes among 'the cattle on the paternal side' those beasts which go to the bride's mother and uterine brother, since the father gets them if he is alive. The western Nuer way of counting bridewealth is therefore less symmetrical than the eastern Nuer way of counting it. This difference is superficial, because in all parts of Nuerland the same relationships are a title to approximately the same number of cattle. The rights of members of the families of the father and mother of the bride are everywhere the same.

The persons who have, in virtue of one of these emphasized relationships, a right (*cuong*) to cattle are called the *ji cungni*, the people with a right. They say: *Manlen a cuong*, 'The maternal aunt has a right'; *Wac a cuong*, 'The paternal aunt has a right', and so on. The cattle which the various relatives of the bride will receive in a perfect distribution, each according to his right, are indicated in diagram II:

DIAGRAM II




It must be added that the four grandparents of the bride are entitled each to a cow in certain circumstances, but they are not mentioned in the distribution given above because it is assumed that by the time their granddaughter is old enough to be married they will be dead. It is a rule that in the event of any claimant being dead his, or her, son inherits the right to cattle. Thus the cattle of a *gwanlen* (father's brother) go to the *gaat gwanlen* (father's brother's sons), the cattle of a *wac* (father's sister) go to the *gaat wac* (father's sister's sons), and so forth. But whereas cattle will be paid to the names of these kinsmen in any case, whether they be alive or dead, a grandparent only receives a cow if he, or she, saw the bride before he, or she, died.

[1] This animal joins her husband's herd if he is alive.

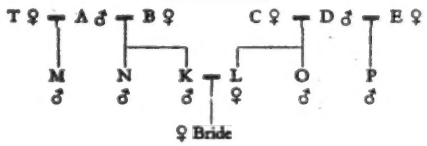
3; Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583
431
602

It is probably for this reason that the cows given to grandparents or their sons are called *wangnen* (*wang*, eye, *nen*, to see). It is possible, therefore, for there to be four *wangnen* claims, but there are generally only one or two at the most. The *wangnen* of the father's father goes to one of his sons by a different mother to the father's mother. The *wangnen* of the father's mother goes to one of her sons other than the father. These are the *wangnen kwi gwane*, the cows of the grandparents on the paternal side. There may also be two *wangnen kwi mane*, cows of the grandparents on the maternal side, that of the mother's father going to one of his sons by a different mother to the bride's mother's mother, and that of the mother's mother going to one of her sons. Thus in diagram III A's cow goes to M, B's cow goes to N, C's cow goes to O, and D's cow goes to P. As will be explained later these cattle of the grandparents are not paid in addition to the 40 already listed.

DIAGRAM III




## SOME FEATURES OF THE DISTRIBUTION

Some features of this mode of distribution are worth attention. The cattle are divided among both paternal and maternal relatives of the bride and this bilateral distribution may be wrongly interpreted. It is by no means simply a recognition of the bride's cognatic kinship to certain of her kinsfolk but is also, and perhaps chiefly, an acknowledgement of obligation between siblings and towards affines. The payment to the bride's paternal uncles is less an expression of the relationship between a father's brother and his brother's daughter than of that between brother and brother. A man marries from the family herd in which his brothers have equal rights with himself, and his wife is, as the brothers say, 'Our wife' because she was married with 'Our cattle'. She acts in domestic duties as a wife to her husband's unmarried brothers as well as to her husband, although she cohabits with him alone, and her children are all 'Our children' since they are 'Children of our cattle'. All the brothers therefore have rights in the daughters of each. Brothers stubbornly insist on these rights, and it often happens that a girl's paternal uncle proves to be the most serious obstacle to bringing about her marriage, for he will not hesitate to veto it if he thinks he is not getting his fair share of the cattle. Every Nuer knows exactly where he stands in such matters, for even children know how bridewealth ought to be distributed and can at once tell roughly what cattle each kinsman will receive on the marriage of the daughter of one of them.

Likewise the transfers made to the bride's maternal uncles are less an expression of the relationship between a mother's brother and his sister's daughter than of that between a man and his wife's brother. Nuer stress that at marriage only part of what is due to the bride's family is handed over to them and say that the rest will be paid when their daughter has borne female children and these children are married. The extra-family kinsmen, the paternal and maternal uncles and

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583
431
602

aunts of the bride, receive their share of her bridewealth once and for all at her marriage, often at the expense of the intra-family kinsmen, her parents and brothers and sisters, who will, in compensation, receive in addition to what is paid to them at her marriage some ten head of cattle on the marriage of each of her daughters. It must not be forgotten that the maternal uncles and aunts of the bride are the brothers-in-law and the sisters-in-law of her father and that part of her bridewealth is paid to them as a deferred payment incurred at her mother's marriage. Hence Nuer, when counting the cattle to be paid on marriage, conclude by saying: 'And when the bride's daughters are married more cattle will be paid to their mother's brothers.' It should be noted also that the sibling relationship is acknowledged in the distribution of bridewealth on the maternal as on the paternal side. All the brothers have rights in their sister and in that part of the bridewealth of her daughters which is due to their family. Here again, even small boys know their rights as maternal uncles, or as future maternal uncles, and youths regard them as policies which will fall due in the future and enable them to marry wives themselves.

We must distinguish, in discussing the transmission of bridewealth among the Nuer, between the transfer of cattle by the bridegroom's people and its distribution among the kinsfolk of the bride. The bridegroom's people are only interested in this distribution in so far as it affects the total of cattle they will have to pay. They come to the lengthy negotiations which precede the wedding dance, prepared to pay a certain number of beasts, and so long as their estimate is not exceeded it is a matter of little interest to them what arrangements about their distribution the kinsmen of the bride make among themselves. The bride's father must make his own terms about the distribution (*wany*) with his brothers and sisters, and the bride's senior maternal uncle with his brothers and sisters. The necessity for them to come to some agreement among themselves will be evident later.

Another important feature of bridewealth distribution is the distinction made between sons of the mother (*gaat mam*) and sons of the father (*gaat gwan*). This distinction is made not only between the full and half-brothers of the bride but also between the full and half-brothers of her father and mother. In the generation of her uncles the differentiation between full and half-brothers is usually indicated by stating whether they are uncles *kwi mam*, on the mother's side, or *kwi gwan*, on the father's side; the terms *kwi dwiel*, on the side of the hut, and *kwi luak*, on the side of the byre, being commonly employed as alternative indications.

When the father of the bride is alive the distinction between her full and half-brothers is only formally represented in the division of her bridewealth because the cattle given to any of her brothers join their father's herd and he uses them as is customary, which means that they are held as family stock from which each son marries in order of seniority, being given by his father for this purpose what cattle are available, without regard to the title by which they entered the herd. Thus one son may marry with cattle which were allotted to another son in the distribution of their sisters' bridewealth; so the fact that on the marriage of one of the sisters several cattle are allotted to the uterine brother does not mean that he can dispose of them as he pleases, and he would not, were his father alive, be able to reserve them for his own marriage exclusively. If the bride's half-brother is older than he the half-brother will use some of these cows to marry and no objection can be raised to his

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583 431 602

doing so. To object would, in Nuer eyes, be a grave breach of custom amounting to the breaking up of the family and home (*gol*) and the severing of vital bonds of kinship. Even after the father is dead the herd ought to remain common stock, and all cattle accruing to him and his sons on the marriages of his daughters ought to join it for the benefit of all his sons alike, so that they may marry from it in order of seniority. But sentiment and custom are not always stronger than self-interest and ill will, and when they are weaker the family breaks up on the death of its head. This is especially the case in a polygamous family because the widows tend to return to their own kinsmen or to live as concubines with men unrelated to their dead husband, and their sons often go with them, for a time at any rate; whereas if there is only one wife, and she is alive, she will remain with the herd and her children with her. I do not wish to enter here into a detailed discussion of the relationship between brothers among the Nuer. It may be remarked, however, in conclusion that eventually the family, especially the composite or polygamous family, ceases to be a joint family with corporate interests in a common herd and splits into a number of property units, each brother having a family and herd of his own. The brothers then live in separate homesteads and sometimes in separate villages and the cattle they receive as paternal and maternal uncles therefore join different herds. Often some of the brothers are by this time dead and the cattle then go to their sons, whose ties with their paternal uncles are weaker than those uniting brothers. But though the relationship between brothers is not further discussed in this paper I must emphasize the intimate connexion between the half-brother relationship and the whole lineage system of the Nuer.[1]

## Mode of Reckoning Bridewealth

In reckoning the cattle which have to be transferred, Nuer distinguish between those beasts which receive a precise linguistic indication and the remainder. Those terminologically differentiated are regarded as the minimum payment on which negotiations can start. So far I have given only the virtual distribution of bridewealth, of what would accrue to each relationship were the full 40 cattle to be paid. The principles of distribution remain the same when, as happens in all actual marriages to-day, many fewer than 40 cattle are paid, and the distribution in any particular marriage can easily be understood in the light of them. These principles do not have to be unearthed by an analysis of actual marriages, but are formulated by the Nuer themselves, so that actual distributions of bridewealth are made to conform to the ideal distribution so far as conditions allow.

In any particular marriage there is a minimum definition of rights. Whatever else the bride's family and kindred get they must get certain animals or the marriage cannot take place. Hence these basic claims take precedence and their titles are always the first to be acknowledged. The conventional order is as follows:

1. *wangwen gwan*, the cows of the paternal grandparents.
   *wangwen mam*, the cows of the maternal grandparents.
2. *jang gwan kene doude, ke thakde*, the cow of the father with its calf, and his ox.
   *jang mam kene doude*, the cow of the mother with its calf.

[1] See *The Nuer*, chap. v.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583
431
602

3. *yang gwanlene kene doude, ke thakde*, the cow of the paternal uncle with its calf, and his ox.
*yang nara kene doude, kene thakde, ke puangde*, the cow of the maternal uncle with its calf, and his ox, and his *puang* (ox).
4. *dou* (*nac*) *waca*, the calf (heifer) of the paternal aunt.
*dou* (*nac*) *mankene*, the calf (heifer) of the maternal aunt.
5. *yang kwoth gwande*, the cow of the father's spirit.
*yang kwoth mande*, the cow of the mother's spirit.
6. *thak deman*, the ox of the uterine brother.
*thak gat gwan*, the ox of the paternal half-brother.

It will be observed that these titles to cattle are in pairs of collateral relationships. If a person standing in any of the relationships is dead, his claim takes precedence over claims of the living, and for this reason they generally begin the tally with the *wangnen* cows of the grandparents. 'First the claims of the ghosts must be settled, then we can settle the claims of us who remain alive.' The meaning of *wangnen* has already been explained, but it must be added that in actual payment of bridewealth the fact that the kindred of the bride are able to claim one or more cows of this title does not mean that they receive more cattle on this account than they would otherwise have done. Circumstances, to be discussed later, fix the total payment within approximate limits known to both parties to the contract, so that all that happens is that a cow which would in any case go to one of the bride's uncles as part of his portion of the bridewealth is handed over to the name of a dead grandparent.

A few words may be said about the *yang kwoth*, cow of the spirit, which figures in most bridewealth transactions. This animal is paid in honour of the spirit of the father or of the mother of the bride. The spirits are of various kinds: totemic, air, medicine, and ghosts of persons slain by lightning. If the spirit is a totem and is associated with a special colour, the bride's parents will endeavour to obtain from the bridegroom's kin a cow of that colour, e.g. a tawny cow for the lion spirit and a brindled cow for the crocodile spirit. A cow so dedicated to a spirit must remain in the kraal of the parents and now and again they rub ashes along its back and pour milk over its tethering-peg and invoke the spirit. The spirits of the family are thus made cognizant of the marriage and are a party to the pact just as the ghosts are informed of what is taking place and are invoked as witnesses at the wedding ceremony. Spirits and ghosts are *jicungni*, claimants entitled to a share in the bridewealth, and were they to be denied their right the marriage would not be fruitful. When each parent has a different spirit both must be honoured by having a cow of the bride-cattle dedicated to it, though one spirit may receive a cow on the marriage of one daughter and the other on the marriage of her sister. Here again, this does not necessarily mean that the family of the bride get an extra cow, for generally one of the cows they would in any case have received is dedicated to a spirit and paid in its name. Sometimes, however, the bride's people do not put forward the claim of a spirit till the end of the marriage negotiations, when the bridegroom's people think that a settlement has been reached and have already offered as many cattle as they are prepared to give. It is more difficult for them to refuse an extra cow to a spirit than to a man. If they are wise they will get to know all about the spirits of the bride's family—there may be more than two—and anticipate the claim by keeping a cow in reserve to meet it.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583 431 602

Generally these essential claims are settled at the first bridewealth discussions held in the byre of the bride's father. There, he and his brothers not only settle their own first, and basic, claims and the claims of the mother, the brothers, and the paternal aunts, but they satisfy themselves also that the bridegroom's kin are prepared to meet the demands of the maternal uncles and aunts. In normal circumstances the bridegroom's party then enter into direct negotiations with the maternal uncles of the bride and their claims must be met before those of the paternal relatives. They have a prior claim in that, as already explained, their portion is regarded to some extent as a deferred payment standing over from the marriage of the bride's mother. If there are not enough cattle to satisfy everyone at the time of the marriage the paternal relatives are usually prepared to allow the bridegroom to remain for some years in their debt, since the bride is a member of their family, but the maternal relatives are less interested in her than in the cattle and are less willing to forgo immediate satisfaction. The maternal kinsmen cannot make exorbitant demands because they have only a right to a conventional proportion of the bridewealth and the approximate number of cattle to be paid to them is therefore determined by the total number to be paid all round. When the maternal kinsmen live very far away the paternal kinsmen may act on their behalf in the negotiations. The bridegroom's people, in either case, themselves drive the *ghok nare*, the cattle of the maternal uncles, to the home of the senior of them.

### Number of Cattle Paid To-day

In marriages to-day the actual transfers and the distribution of cattle to definite persons, as distinct from the ideal, or virtual, allotment of fixed portions of the bridewealth to relationships, vary according to circumstances, the chief of which are the wealth in stock of the Nuer as a whole, the resources of the bridegroom's family and kin, the number of claimants, the configuration of the bride's family, and the relative desire of both parties to bring about the union.

There is good reason to suppose that till thirty to forty years ago cattle were so plentiful in Nuerland that bridewealth was paid at the ideal rate of 40 head. Of recent years the herds have diminished through rinderpest, and the traditional means of recuperation, raids on Dinka stock, has been checked by the presence of the Anglo-Egyptian government. Diminution has been fairly uniform throughout the whole of Nuerland and it would to-day in all parts be impossible for a man to raise as many as 40 head of cattle for marriage. The usual payment is from 20 to 30.[1] It has been mentioned that there is a minimal number of relationships with prior rights and the persons standing in these relationships, or representing those standing in them, must be guaranteed their portions to the number of cattle enumerated in the list presented above. Consequently, even if there are no *wangnen* and spirit claims the bridewealth cannot fall to less than 16 beasts. On the other hand, it cannot rise to more than the bridegroom and his people possess or are prepared to give, what they are prepared to give being mainly decided by what they possess. The

[1] Mr. Jackson, writing in 1923 (*Sudan Notes and Records*, vol. vi, p. 154), gave 13 to 15 cattle as an average bridewealth and said that the tendency at that time was for even that number to diminish. He remarked that some ten or twelve years earlier the payment of 40 was said to have been not unusual. Mr. Coriat, writing somewhat later, said that the original bridewealth of the Gaawar tribe was 50 head of cattle, but that it had dwindled to 15 or 30.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583
602
431

bridewealth will therefore be somewhere between these two points. Now, the bride's family know fairly accurately what cattle are available and state their demands in the light of their knowledge, and the bridegroom's family know how many persons are likely to put forward claims and, also, how many cattle they can muster, and they make their offer accordingly.

It is evident from the lengthy discussions that continue for hours at a time, and sometimes for days on end, that there is no absolutely fixed payment. What happens is that the basic claims are first settled in a preliminary manner, for there can be little argument about these, since the marriage cannot be contemplated if they are not accepted; and further demands are then debated. The main concern of the bridegroom's party is to conduct the negotiations in such a way that they will not have promised up to the estimate they have allowed for before an adequate number of cattle have been allotted to all the persons who are beyond question entitled to them. They are not interested in the precise manner of distribution among the bride's family and kindred so long as the plan of allotment is not used as a means to make further, and excessive, demands. They have to be careful, for example, not to use up their resources in trying to satisfy the requirements of the maternal relatives or of the family before due allowance has been made for the rights of the paternal uncles, for if they do this the paternal uncles will stake a claim when they have no beasts in reserve to meet it and the marriage in consequence will fall through. They usually aim at settling all the outside claims before tackling the full family claims, in the settlement of which they may expect some forbearance. The family are as anxious as the bridegroom's people to settle the outside claims, for they are really claims on the bride's father rather than on the bridegroom, and until they are met he cannot reap any benefit himself from the marriage. To facilitate their settlement the family are generally prepared to forgo some of their own rights and the expectation of full immediate payment.

The discussions are in terms of particular cattle. The bridegroom's people offer certain animals and these animals are known to the bride's people. The spokesman for the bridegroom says, for example: 'We have a brindled cow and its calf in such-and-such a kraal'; and the spokesman for the family replies: 'Yes, that will be the cow of the mother and its calf'; 'We have a white heifer in such-and-such a kraal'; 'Yes, that will be the heifer of the father's sister.' The bridegroom's maternal uncle says that he will give a white cow with a black head and rump and its calf, and a white-faced ox, and the people of the byre decide that the cow and its calf will be the cow of the father and its calf, and the ox will be the ox of the uterine brother. To follow these negotiations it must be remembered that they have been preceded by lengthy private discussions by each party among themselves. The bridegroom's party have arranged among themselves the particular animals each is willing to contribute, what they intend to offer the bride's people, what claims are likely to be put foward, and how they can be met. The bride's party have discussed what animals the other side possess, what they are likely to offer, and what they themselves want. The haggling at the final meetings between the two parties is on the surface and concerns only marginal beasts which the bride's party hope to obtain above what the bridegroom's party wish to give. It is not really greed but part of the traditional procedure of marriage. Both sides are expected to behave in this way in marriage negotiations.

3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583 431 602

When a youth wants to marry, the first question his sweetheart's father asks him, or whoever is acting on his behalf, is: 'What cattle have you got?' although he generally knows the answer before asking it. Unless the youth can be sure of producing some dozen beasts at once it is useless to enter into further negotiations for marriage and some excuse will be found for rejecting his proposal. This does not mean that a father is solely interested in obtaining the highest possible number of cattle for the hand of his daughter. He will be content if he gets the usual number, and if he considers the young man to be a desirable husband and son-in-law he may be content with less, or, at any rate, to defer transfer of part of the cattle due to the family. Sometimes even the uncles are prepared to wait a few years for some of the cattle. When the marriage is greatly desired by both sides the ceremonies may be completed before the final bridewealth discussions have been held. As long as the girl's family receive a good number of the cattle before she has passed through the final ceremonies and can expect that the remainder will eventually be paid they will not press for settlement. Nuer can be very generous in this matter, and if a son-in-law is respectful and industrious they will not break the union because he takes a long time to transfer the final cows, for marriage is not simply handing over a girl in exchange for cattle but is the creation of a series of new social relationships which, once formed, are not easily or lightly severed, especially when the union is completed by the birth of a child.

Sometimes the final cows are never transferred. If the husband has cattle and his wife's brothers want to marry they may raid his herd and take the beasts owing to them. But debts of this kind are subject to a rule of limitations. If the cattle have not all been transferred before the eldest son of the marriage is initiated into manhood the debt lapses. Therefore a maternal uncle may try to obtain the remainder of his sister's bridewealth before her eldest son is initiated. An illustrative case occurred in western Nuerland in 1936. An initiated lad, who had been working for me, brought back three cows to add to the family herd in his father's kraal and his maternal uncle seized one of them on the grounds that his mother's bridewealth had not been fully paid. The elders of the village counselled its return, saying that the calves would die, and their advice was taken. The opinion expressed on this occasion was that when a son is initiated he becomes part-owner of the family herd and that a maternal uncle cannot take cattle from the herd of his sister's son in payment for his sister's marriage. Also, if cattle are owing, claimants cannot take them from the bridewealth of a daughter of the union, that is to say, from cattle allotted to the bride's family. They get their due portions from the daughter's marriage but 'The cattle of a mother and the cattle of her daughter may not meet'. It is thought that the daughter would be barren were this to happen.

Distribution, as distinct from the total transfer, is also affected by the number of persons who demand cattle. There may be several persons standing to the bride in any given relationship. If, for example, there is only one paternal aunt she gets her cow on the marriage of each of her brothers' daughters. If, on the other hand, there are several paternal aunts they take it in turn to receive the cows due to that relationship. Difficulties are sometimes settled between two claimants of like relationship to the bride by one of them taking a cow and the other its first calf. Sometimes they take it in turn to receive their due and, at the same time, admit the rights of the others

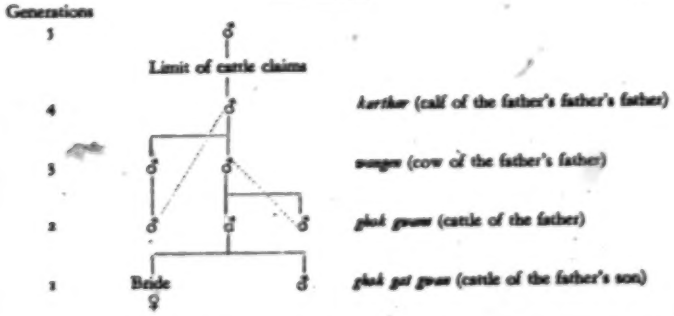
3: Evans-Pritchard E-5 (1931, 1936) 1946 FJ22 Nuer FJ22



583
431
602

to a calf each. In this way each claimant may ultimately receive part of the bridewealth on each occasion of its distribution. On the other hand, there may be no person in the relationship entitled to cattle. In this case, as already explained, the direct linear heir is entitled to the beasts; but a collateral kinsman may not inherit. Nevertheless, paternal kinsmen genealogically farther removed from the bride than those indicated by specific kinship terms (relationships with a fixed title to bridewealth) may claim some small gift, such as a sheep, goat, or spear, in their own right from the bridegroom's people. Though these casual claims count as part of the bridewealth in that their return can be asked for in the event of divorce, their settlement is regarded more as a courtesy than as an obligation. A borderline case between bride-cattle properly speaking and such small gifts to distant kinsmen is that of the calf, called *karthar* among the western Nuer, which may be claimed by a collateral kinsman who is a patrilineal descendant of the bride's father's father's father. This payment is sometimes made, as sign that the patrilineal limit of bridewealth claims has been reached and that no demands will be accepted from collateral kinsmen tracing their common descent with the bride from an ancestor yet farther removed.

DIAGRAM IV




However, any cognatic kinsman up to six or seven generations removed from a common ancestor with the bride may attest his kinship by asking a small gift and it will not be refused. This privilege is not widely exercised. The agnatic kinsman of a collateral lineage who invokes the cattle at the wedding, the *gwan buthni*, is always given a calf, sheep, or goat, known as the *yang mute*, the 'cow' of the spear (with which he made the invocation).

As said above, actual distribution of bridewealth among persons depends also on the configuration of the bride's family. On this point it need only be said that distribution at the marriage of a daughter born of a simple legal union is the pattern for distribution at marriages of daughters born of other kinds of union. We need only note further that when the *genitor* of the bride is a different person from her *pater*, as is often the case among the Nuer, and is also not merely a kinship substitute for him, the *genitor* has a right to a cow, called *yang leta*, the cow of the loins, and that this takes precedence over all other claims. If he has also brought up the bride his right is more extensive.